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In re:

CRESTLLOYD, LLC,

Debtor.

District Court Case No.: 2:22-cv-02091-FLA

Bankruptcy Case No. 2:21-BK-18205-DS

Chapter 11

**APPELLANT'S DESIGNATION OF THE
RECORD ON APPEAL**

[No Hearing Required]

Date Appeal Filed: 3/28/2022

Appeal Docket Entry No.: 249

1 Pursuant to Federal Rule of Bankruptcy Procedure 8009, Appellant Nile Niami hereby
2 designates the following items, including all attachments, exhibits and addenda included therewith
3 and all documents incorporated by reference therein, for inclusion in the record on his appeal from
4 the Bankruptcy Court's order approving the sale of the Debtor's unique real property [Docket No.
5 247] (the "**Sale Order**") that is currently pending before the District Court as Case No. 2:22-cv-
6 02091-FLA:

7 **DESIGNATION OF THE RECORD**

Date Filed	Docket No.	Description
11/18/2021	<u>37</u> (15 pgs)	Debtor's First Chapter 11 Case Status Report
11/23/2021	<u>52</u> (95 pgs)	Debtor's Schedules and Statement of Financial Affairs
12/08/2021	<u>66</u> (177 pgs)	Debtor's Notice Of Motion And Motion For Entry Of Interim And Final Orders: (I) Authorizing Debtor To Obtain Senior Secured Postpetition Financing Pursuant To Section 364 Of The Bankruptcy Code, (II) Granting Super-Priority Administrative Claims And Senior Liens, (III) Scheduling A Final Hearing, And (IV) Granting Related Relief; Memorandum Of Points And Authorities And Declaration In Support Thereof
12/10/2021	<u>70</u> (7 pgs)	Interim Order Granting Motion For Order: (I) Authorizing Debtor To Obtain Senior Secured Postpetition Financing Pursuant To Section 364 Of The Bankruptcy Code, (II) Granting Super-Priority Administrative Claims And Senior Liens, (III) Scheduling A Final Hearing, And (IV) Granting Related Relief
12/14/2021	<u>74</u> (104 pgs)	Application Of Debtor And Debtor In Possession To: (1) Employ The Beverly Hills Estates And Compass As Real Estate Brokers Pursuant To 11 U.S.C § 327(a), With Compensation Determined Pursuant To 11 U.S.C. § 328, (2) Employ Concierge Auctions, LLC As Auctioneer Pursuant To 11 U.S.C § 327(a), With Compensation Determined Pursuant To 11 U.S.C. § 328, And (3) Approve The Payment Of Compensation To Real Estate Brokers And Auctioneer From Escrow Upon Closing; Declarations In Support Thereof

Date Filed	Docket No.	Description
12/16/2021	<u>78</u> (17 pgs)	Errata to Application Of Debtor And Debtor In Possession To: (1) Employ The Beverly Hills Estates And Compass As Real Estate Brokers Pursuant To 11 U.S.C § 327(a), With Compensation Determined Pursuant To 11 U.S.C. § 328, (2) Employ Concierge Auctions, LLC As Auctioneer Pursuant To 11 U.S.C § 327(a), With Compensation Determined Pursuant To 11 U.S.C. § 328, And (3) Approve The Payment Of Compensation To Real Estate Brokers And Auctioneer From Escrow Upon Closing
12/21/2021	<u>81</u> (6 pgs)	Supplemental Declaration of Lawrence R. Perkins in Support of Application Of Debtor And Debtor In Possession To: (1) Employ The Beverly Hills Estates And Compass As Real Estate Brokers Pursuant To 11 U.S.C § 327(a), With Compensation Determined Pursuant To 11 U.S.C. § 328, (2) Employ Concierge Auctions, LLC As Auctioneer Pursuant To 11 U.S.C § 327(a), With Compensation Determined Pursuant To 11 U.S.C. § 328, And (3) Approve The Payment Of Compensation To Real Estate Brokers And Auctioneer From Escrow Upon Closing
12/23/2021	<u>84</u> (367 pgs)	Motion of Theodore Lanes, Court-Appointed Receiver, and Brutzkus Gubner Rozansky Seror Weber LLP for Entry of Orders Allowing and Directing Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. §§ 543(c), 503(b)(3)(E), and 503(b)(4); Memorandum of Points and Authorities and Declarations of Theodore Lanes and David Seror in Support Thereof
12/29/2021	<u>88</u> (131 pgs)	Debtor's Notice Of Motion And Motion To: (1) Approve Auction And Bid Procedures Regarding The Sale Of Real Property And (2) Set Scheduling For A Motion To Approve The Sale Of Real Property; Memorandum Of Points And Authorities And Declaration In Support Thereof
1/05/2022	<u>97</u> (4 pgs)	Limited Objection of Yogi Securities Holdings, LLC to Debtor's Motion to: (1) Approve Auction and Bid Procedures Regarding the Sale of Real Property and (2) Set Scheduling for a Motion to Approve the Sale of Real Property
01/05/2022	<u>98</u> (5 pgs)	Opposition to Motion to Approve Auction and Bid Procedures Regarding the Sale of Real Property filed by Inferno Investment, Inc.

Date Filed	Docket No.	Description
01/10/2022	<u>104</u> (2 pgs)	Order Approving Application Of Debtor And Debtor In Possession To: (1) Employ The Beverly Hills Estates And Compass As Real Estate Brokers Pursuant To 11 U.S.C. §327(a), With Compensation Determined Pursuant To 11 U.S.C. §328, (2) Employ Concierge Auctions, LLC As Auctioneer Pursuant To 11 U.S.C. §327(a), With Compensation Determined Pursuant To 11 U.S.C. §328, and (3) Approve The Payment Of Compensation To Real Estate Brokers And Auctioneer From Escrow Upon Closing
01/10/2022	<u>105</u> (2 pgs)	Order Granting Debtor's Motion To: (1) Approve Auction And Bid Procedures Regarding The Sale Of Real Property and (2) Set Scheduling For A Motion To Approve The Sale Of Real Property.
01/14/2022	<u>115</u> (2 pgs)	Order Following Status Conference Amending Certain Dates Under Order Granting Debtor's Motion To: (1) Approve Auction And Bid Procedures Regarding The Sale Of Real Property And (2) Set Scheduling For A Motion To Approve The Sale Of Real Property
01/27/2022	<u>122</u> (7 pgs)	Final Order: (I) Authorizing Debtor To Obtain Senior Secured Postpetition Financing Pursuant To Section 364 Of The Bankruptcy Code, (II) Granting Super-Priority Administrative Claims And Senior Liens, and (III) Granting Related Relief
02/09/2022	<u>126</u> (5 pgs)	Order granting motion of Theodore Lanes, court - appointed receiver, and Brutzkus Gubner Rosansky Seror Weber LLP for entry of orders allowing and directing immediate payment of administrative expense claims pursuant to 11 U.S.C. Sections 543(c), 503(B)(3)(e), and 503(b)(4).
02/23/2022	<u>130</u> (19 pgs)	Debtor's Notice Of Motion And Motion To Extend The Exclusivity Periods For The Debtor To File A Plan And Obtain Acceptance Thereof; Memorandum Of Points And Authorities And Declaration In Support Thereof
03/08/2022	<u>142</u> (170 pgs)	Debtor's Motion For An Order: (1) Approving The Sale Of The Debtors Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions; (2) Finding That The Buyer Is A Good Faith Purchaser; (3) Authorizing And Approving The Payment

Date Filed	Docket No.	Description
		Of Certain Claims From Sale Proceeds; (4) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h); And (5) Providing Related Relief; Memorandum Of Points And Authorities And Declarations In Support Thereof.
03/15/2022	<u>193</u> (17 pgs; 2 docs)	Objection of Yogi Securities Holdings, LLC to Debtor's Motion to Approve the Sale of Real Property
03/15/2022	<u>196</u> (116 pgs)	Objection Of Nile Niami To Debtor's Motion For An Order: (1) Approving The Sale Of The Debtors Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions; (2) Finding That The Buyer Is A Good Faith Purchaser; (3) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds; (4) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h); and (5) Providing Related Relief; Declaration of Nile Niami in Support Thereof
01/06/2022	197	Transcript of Hearing Held January 6, 2022 – Hearing re Debtor's Motion to (1) Approve Auction And Bid Procedures Regarding The Sale Of Real Property and (2) Set Scheduling For A Motion To Approve The Sale Of Real Property
03/15/2022	<u>202</u> (11 pgs)	Declaration of Yvonne Niami In Opposition To Sale Motion.
03/16/2022	<u>208</u> (35 pgs)	Debtor's Omnibus Reply to Oppositions to Motion For An Order: (1) Approving The Sale Of The Debtors Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions; (2) Finding That The Buyer Is A Good Faith Purchaser; (3) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds; (4) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h); And (5) Providing Related Relief; Memorandum Of Points And Authorities In Support Thereof
03/17/2022	<u>214</u> (108 pgs)	Notice Of Errata To Declaration Of Joseph Englanoff In Support Of Objection Of Yogi Securities Holdings, LLC To Debtors Motion To Approve The Sale Of The Debtors Real Property

Date Filed	Docket No.	Description
03/28/2022	247 (31 pgs)	Order Granting Debtor's Motion For An Order: (1) Approving The Sale Of The Debtor's Real Property Free And Clear Of All Liens, Claims Encumbrances, And Interests, With The Exception Of Enumerated Exclusions; (2) Finding That The Buyer Is A Good Faith Purchaser; (3) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds; (4) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h); and (5) Providing Related Relief
3/21/2022	251	Transcript of Hearing Held March 21, 2022 – continued hearing re Debtor's Motion For An Order: (1) Approving The Sale Of The Debtors Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions; (2) Finding That The Buyer Is A Good Faith Purchaser; (3) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds; (4) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h); And (5) Providing Related Relief
3/30/2022	263	Transcript of Hearing Held March 18, 2022 – Debtor's Motion For An Order: (1) Approving The Sale Of The Debtors Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions; (2) Finding That The Buyer Is A Good Faith Purchaser; (3) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds; (4) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h); And (5) Providing Related Relief

Dated: April 11, 2022

RAINES FELDMAN LLP

By /s/ Hamid R. Rafatjoo
Hamid R. Rafatjoo
Attorneys for Appellant Nile Niami

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 1800 Avenue of the Stars, 12th Floor, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*):

APPELLANT'S DESIGNATION OF THE RECORD ON APPEAL

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) April 11, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Kyra E Andrassy** kandrassy@swelawfirm.com, lgarrett@swelawfirm.com;gcruz@swelawfirm.com;jchung@swelawfirm.com
- **Todd M Arnold** tma@lnbyg.com
- **Jerrold L Bregman** jbregman@bg.law, ecf@bg.law
- **Marguerite Lee DeVoll** mdevoll@watttieder.com, zabrams@watttieder.com
- **Danielle R Gabai** dgabai@danninggill.com, dgabai@ecf.courtdrive.com
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- **Sharon Oh-Kubisch** sokubisch@swelawfirm.com, gcruz@swelawfirm.com;lgarrett@swelawfirm.com;jchung@swelawfirm.com
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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

- **Lindsey L Smith** lls@lnbyb.com, lls@ecf.inforuptcy.com
- **United States Trustee (LA)** ustpregion16.la.ecf@usdoj.gov
- **Genevieve G Weiner** gweiner@sidley.com, laefilingnotice@sidley.com;genevieve-weiner-0813@ecf.pacerpro.com
- **Jessica Wellington** jwellington@bg.law, ecf@bg.law

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 4/11/2022 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

4/11/2022

Date

Bambi Clark

Printed Name

/s/ Bambi Clark

Signature

SERVED BY UNITED STATES MAIL:

Crestlloyd, LLC (Debtor)

David B. Golubchik (SBN 185520)

Todd M. Arnold (SBN 221868)

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